



General Assembly

**Substitute Bill No. 6385**

January Session, 2011

\* \_\_\_\_\_HB06385ED\_APP032811\_\_\_\_\_\*

**AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF  
THE GOVERNOR CONCERNING EDUCATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (i) of section 10-217a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2011*):

4 (i) Notwithstanding the provisions of this section, for the fiscal years  
5 ending June 30, 2008, to June 30, [2011] 2013, inclusive, the amount of  
6 the grants payable to local or regional boards of education in  
7 accordance with this section shall be reduced proportionately if the  
8 total of such grants in such year exceeds the amount appropriated for  
9 purposes of this section.

10 Sec. 2. Subsection (b) of section 10-281 of the general statutes is  
11 repealed and the following is substituted in lieu thereof (*Effective July*  
12 *1, 2011*):

13 (b) Notwithstanding the provisions of this section, for the fiscal  
14 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the  
15 amount of the grants payable to local or regional boards of education  
16 in accordance with this section shall be reduced proportionately if the  
17 total of such grants in such year exceeds the amount appropriated for  
18 purposes of this section.

19       Sec. 3. Subsection (d) of section 10-71 of the general statutes is  
20 repealed and the following is substituted in lieu thereof (*Effective July*  
21 *1, 2011*):

22       (d) Notwithstanding the provisions of this section, for the fiscal  
23 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the  
24 amount of the grants payable to towns, regional boards of education or  
25 regional educational service centers in accordance with this section  
26 shall be reduced proportionately if the total of such grants in such year  
27 exceeds the amount appropriated for the purposes of this section for  
28 such year.

29       Sec. 4. Section 10-17g of the general statutes is repealed and the  
30 following is substituted in lieu thereof (*Effective July 1, 2011*):

31       Annually, the board of education for each local and regional school  
32 district that is required to provide a program of bilingual education,  
33 pursuant to section 10-17f, may make application to the State Board of  
34 Education and shall thereafter receive a grant in an amount equal to  
35 the product obtained by multiplying the total appropriation available  
36 for such purpose by the ratio which the number of eligible children in  
37 the school district bears to the total number of such eligible children  
38 state-wide. The board of education for each local and regional school  
39 district receiving funds pursuant to this section shall annually, on or  
40 before September first, submit to the State Board of Education a  
41 progress report which shall include (1) measures of increased  
42 educational opportunities for eligible students, including language  
43 support services and language transition support services provided to  
44 such students, (2) program evaluation and measures of the  
45 effectiveness of its bilingual education and English as a second  
46 language programs, including data on students in bilingual education  
47 programs and students educated exclusively in English as a second  
48 language programs, and (3) certification by the board of education  
49 submitting the report that any funds received pursuant to this section  
50 have been used for the purposes specified. The State Board of  
51 Education shall annually evaluate programs conducted pursuant to

52 section 10-17f. For purposes of this section, measures of the  
53 effectiveness of bilingual education and English as a second language  
54 programs include state-wide mastery examination results and  
55 graduation and school dropout rates. Notwithstanding the provisions  
56 of this section, for the fiscal years ending June 30, 2009, to June 30,  
57 [2011] 2013, inclusive, the amount of grants payable to local or regional  
58 boards of education under this section shall be reduced  
59 proportionately if the total of such grants in such year exceeds the  
60 amount appropriated for such grants for such year.

61 Sec. 5. Subsection (f) of section 10-66j of the general statutes is  
62 repealed and the following is substituted in lieu thereof (*Effective July*  
63 *1, 2011*):

64 (f) Notwithstanding the provisions of this section, for the fiscal  
65 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the  
66 amount of grants payable to regional educational service centers shall  
67 be reduced proportionately if the total of such grants in such year  
68 exceeds the amount appropriated for such grants for such year.

69 Sec. 6. Subdivisions (2) and (3) of subsection (e) of section 10-76d of  
70 the general statutes are repealed and the following is substituted in  
71 lieu thereof (*Effective July 1, 2011*):

72 (2) For purposes of this subdivision, "public agency" includes the  
73 offices of a government of a federally recognized Native American  
74 tribe. Notwithstanding any other provisions of the general statutes, for  
75 the fiscal year ending June 30, 1987, and each fiscal year thereafter,  
76 whenever a public agency, other than a local or regional board of  
77 education, the State Board of Education or the Superior Court acting  
78 pursuant to section 10-76h, places a child in a foster home, group  
79 home, hospital, state institution, receiving home, custodial institution  
80 or any other residential or day treatment facility, and such child  
81 requires special education, the local or regional board of education  
82 under whose jurisdiction the child would otherwise be attending  
83 school or, if no such board can be identified, the local or regional board

84 of education of the town where the child is placed, shall provide the  
85 requisite special education and related services to such child in  
86 accordance with the provisions of this section. Within one business day  
87 of such a placement by the Department of Children and Families or  
88 offices of a government of a federally recognized Native American  
89 tribe, said department or offices shall orally notify the local or regional  
90 board of education responsible for providing special education and  
91 related services to such child of such placement. The department or  
92 offices shall provide written notification to such board of such  
93 placement within two business days of the placement. Such local or  
94 regional board of education shall convene a planning and placement  
95 team meeting for such child within thirty days of the placement and  
96 shall invite a representative of the Department of Children and  
97 Families or offices of a government of a federally recognized Native  
98 American tribe to participate in such meeting. (A) The local or regional  
99 board of education under whose jurisdiction such child would  
100 otherwise be attending school shall be financially responsible for the  
101 reasonable costs of such special education and related services in an  
102 amount equal to the lesser of one hundred per cent of the costs of such  
103 education or the average per pupil educational costs of such board of  
104 education for the prior fiscal year, determined in accordance with the  
105 provisions of subsection (a) of section 10-76f. The State Board of  
106 Education shall pay on a current basis, except as provided in  
107 subdivision (3) of this subsection, any costs in excess of such local or  
108 regional board's basic contributions paid by such board of education in  
109 accordance with the provisions of this subdivision. (B) Whenever a  
110 child is placed pursuant to this subdivision, on or after July 1, 1995, by  
111 the Department of Children and Families and the local or regional  
112 board of education under whose jurisdiction such child would  
113 otherwise be attending school cannot be identified, the local or  
114 regional board of education under whose jurisdiction the child  
115 attended school or in whose district the child resided at the time of  
116 removal from the home by said department shall be responsible for the  
117 reasonable costs of special education and related services provided to  
118 such child, for one calendar year or until the child is committed to the

119 state pursuant to section 46b-129 or 46b-140 or is returned to the child's  
120 parent or guardian, whichever is earlier. If the child remains in such  
121 placement beyond one calendar year the Department of Children and  
122 Families shall be responsible for such costs. During the period the local  
123 or regional board of education is responsible for the reasonable cost of  
124 special education and related services pursuant to this subparagraph,  
125 the board shall be responsible for such costs in an amount equal to the  
126 lesser of one hundred per cent of the costs of such education and  
127 related services or the average per pupil educational costs of such  
128 board of education for the prior fiscal year, determined in accordance  
129 with the provisions of subsection (a) of section 10-76f. The State Board  
130 of Education shall pay on a current basis, except as provided in  
131 subdivision (3) of this subsection, any costs in excess of such local or  
132 regional board's basic contributions paid by such board of education in  
133 accordance with the provisions of this subdivision. The costs for  
134 services other than educational shall be paid by the state agency which  
135 placed the child. The provisions of this subdivision shall not apply to  
136 the school districts established within the Department of Children and  
137 Families, pursuant to section 17a-37, the Department of Correction,  
138 pursuant to section 18-99a, or the Department of Developmental  
139 Services, pursuant to section 17a-240, provided in any case in which  
140 special education is being provided at a private residential institution,  
141 including the residential components of regional educational service  
142 centers, to a child for whom no local or regional board of education  
143 can be found responsible under subsection (b) of this section, Unified  
144 School District #2 shall provide the special education and related  
145 services and be financially responsible for the reasonable costs of such  
146 special education instruction for such children. Notwithstanding the  
147 provisions of this subdivision, for the fiscal years ending June 30, 2004,  
148 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,  
149 [and June 30, 2011] to June 30, 2013, inclusive, the amount of the grants  
150 payable to local or regional boards of education in accordance with  
151 this subdivision shall be reduced proportionately if the total of such  
152 grants in such year exceeds the amount appropriated for the purposes  
153 of this subdivision for such year.

154 (3) Payment for children who require special education and who  
155 reside on state-owned or leased property or in permanent family  
156 residences as defined in section 17a-154, and who are not the  
157 educational responsibility of the unified school districts established  
158 pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be  
159 made in the following manner: The State Board of Education shall pay  
160 to the school district which is responsible for providing instruction for  
161 each such child pursuant to the provisions of this subsection one  
162 hundred per cent of the reasonable costs of such instruction. In the  
163 fiscal year following such payment, the State Board of Education shall  
164 deduct from the special education grant due the local or regional board  
165 of education under whose jurisdiction the child would otherwise be  
166 attending school, where such board has been identified, the amount  
167 for which such board would otherwise have been financially  
168 responsible pursuant to the provisions of subdivision (2) of this  
169 subsection. No such deduction shall be made for any school district  
170 which is responsible for providing special education instruction for  
171 children whose parents or legal guardians do not reside within such  
172 district. The amount deducted shall be included as a net cost of special  
173 education by the Department of Education for purposes of the state's  
174 special education grant calculated pursuant to section 10-76g, as  
175 amended by this act. A school district otherwise eligible for  
176 reimbursement under the provisions of this subdivision for the costs of  
177 education of a child residing in a permanent family residence shall  
178 continue to be so eligible in the event that a person providing foster  
179 care in such residence adopts the child. Notwithstanding the  
180 provisions of this subdivision, for the fiscal years ending June 30, 2004,  
181 and June 30, 2005, and for the fiscal years ending June 30, 2012, and  
182 June 30, 2013, the amount of the grants payable to local or regional  
183 boards of education in accordance with this subdivision shall be  
184 reduced proportionately if the total of such grants in such year exceeds  
185 the amount appropriated for the purposes of this subdivision for such  
186 year.

187 Sec. 7. Subsection (d) of section 10-76g of the general statutes is

188 repealed and the following is substituted in lieu thereof (*Effective July*  
189 *1, 2011*):

190 (d) Notwithstanding the provisions of this section, for the fiscal  
191 years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal  
192 years ending June 30, 2010, [and June 30, 2011] to June 30, 2013,  
193 inclusive, the amount of the grants payable to local or regional boards  
194 of education in accordance with this section, except grants paid in  
195 accordance with subdivision (2) of subsection (a) of this section, for the  
196 fiscal years ending June 30, 2006, and June 30, 2007, and for the fiscal  
197 years ending June 30, 2010, [and June 30, 2011] to June 30, 2013,  
198 inclusive, shall be reduced proportionately if the total of such grants in  
199 such year exceeds the amount appropriated for the purposes of this  
200 section for such year.

201 Sec. 8. Subsection (b) of section 10-253 of the general statutes is  
202 repealed and the following is substituted in lieu thereof (*Effective July*  
203 *1, 2011*):

204 (b) The board of education of the school district under whose  
205 jurisdiction a child would otherwise be attending school shall be  
206 financially responsible for the reasonable costs of education for a child  
207 placed out by the Commissioner of Children and Families or by other  
208 agencies, including, but not limited to, offices of a government of a  
209 federally recognized Native American tribe, in a private residential  
210 facility when such child requires educational services other than  
211 special education services. Such financial responsibility shall be the  
212 lesser of one hundred per cent of the costs of such education or the  
213 average per pupil educational costs of such board of education for the  
214 prior fiscal year, determined in accordance with subsection (a) of  
215 section 10-76f. Any costs in excess of the boards' basic contribution  
216 shall be paid by the State Board of Education on a current basis. The  
217 costs for services other than educational shall be paid by the state  
218 agency which placed the child. Application for the grant to be paid by  
219 the state for costs in excess of the local or regional board of education's  
220 basic contribution shall be made in accordance with the provisions of

221 subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the  
222 provisions of this subsection, for the fiscal years ending June 30, 2004,  
223 to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,  
224 [and June 30, 2011] to June 30, 2013, inclusive, the amount of the grants  
225 payable to local or regional boards of education in accordance with  
226 this subsection shall be reduced proportionately if the total of such  
227 grants in such year exceeds the amount appropriated for the purposes  
228 of this subsection for such year.

229 Sec. 9. Subparagraphs (E) and (F) of subdivision (3) of subsection (c)  
230 of section 10-264~~l~~ of the general statutes are repealed and the following  
231 is substituted in lieu thereof (*Effective July 1, 2011*):

232 (E) Each interdistrict magnet school operated by (i) a regional  
233 educational service center, (ii) the Board of Trustees of the  
234 Community-Technical Colleges on behalf of a regional community-  
235 technical college, (iii) the Board of Trustees of the Connecticut State  
236 University System on behalf of a state university, (iv) the Board of  
237 Trustees for The University of Connecticut on behalf of the university,  
238 (v) the board of governors for an independent college or university, as  
239 defined in section 10a-37, or the equivalent of such a board, on behalf  
240 of the independent college or university, (vi) cooperative arrangements  
241 pursuant to section 10-158a, and (vii) any other third-party not-for-  
242 profit corporation approved by the commissioner that enrolls less than  
243 sixty per cent of its students from Hartford pursuant to the 2008  
244 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,  
245 shall receive a per pupil grant in the amount of (I) nine thousand six  
246 hundred ninety-five dollars for the fiscal year ending June 30, 2010,  
247 and (II) ten thousand four hundred forty-three dollars for the fiscal  
248 [year] years ending June 30, 2011, to June 30, 2013, inclusive.

249 (F) Each interdistrict magnet school operated by the Hartford school  
250 district, pursuant to the 2008 stipulation and order for Milo Sheff, et al.  
251 v. William A. O'Neill, et al., shall receive a per pupil grant for each  
252 enrolled student who is not a resident of the district in the amount of  
253 (i) twelve thousand dollars for the fiscal year ending June 30, 2010, and

254 (ii) thirteen thousand fifty-four dollars for the fiscal [year] years ending  
255 June 30, 2011, to June 30, 2013, inclusive.

256 Sec. 10. Subsection (o) of section 10-264l of the general statutes is  
257 repealed and the following is substituted in lieu thereof (*Effective July*  
258 *1, 2011*):

259 (o) For the school years commencing July 1, 2009, [and July 1, 2010]  
260 to July 1, 2012, inclusive, the Hartford school district shall not charge  
261 tuition for any student enrolled in an interdistrict magnet school  
262 operated by such school district.

263 Sec. 11. (*Effective July 1, 2011*) The RESC Alliance shall study issues  
264 relating to the feasibility and implementation of regional school  
265 transportation services and a uniform school calendar. Not later than  
266 October 15, 2011, the RESC Alliance shall submit a report of its  
267 findings and recommendations to the Governor in accordance with the  
268 provisions of section 11-4a of the general statutes.

269 Sec. 12. (*Effective July 1, 2011*) The Commissioner of Education, in  
270 consultation with the Commissioner of Social Services, shall develop a  
271 plan to integrate child day care services administered by the  
272 Department of Social Services offered as part of a school readiness  
273 program into the school readiness programs administered by the  
274 Department of Education. Such plan shall address program eligibility,  
275 slot rates and program requirements. Not later than July 1, 2012, the  
276 Commissioner of Education shall submit such plan, with any findings  
277 and recommendations, to the Governor.

278 Sec. 13. Section 10-266aa of the general statutes is repealed and the  
279 following is substituted in lieu thereof (*Effective July 1, 2011*):

280 (a) As used in this section:

281 (1) "Receiving district" means any school district that accepts  
282 students under the program established pursuant to this section;

283 (2) "Sending district" means any school district that sends students it  
284 would otherwise be legally responsible for educating to another school  
285 district under the program; and

286 (3) "Minority students" means students who are "pupils of racial  
287 minorities", as defined in section 10-226a.

288 (b) There is established, within available appropriations, an  
289 interdistrict public school attendance program. The purpose of the  
290 program shall be to: (1) Improve academic achievement; (2) reduce  
291 racial, ethnic and economic isolation or preserve racial and ethnic  
292 balance; and (3) provide a choice of educational programs. [for  
293 students enrolled in the public schools.] The Department of Education  
294 shall provide oversight for the program, including the setting of  
295 reasonable limits for the transportation of students participating in the  
296 program, and may provide for the incremental expansion of the  
297 program for the school year commencing in 2000 for each town  
298 required to participate in the program pursuant to subsection (c) of  
299 this section.

300 (c) The program shall be phased in as provided in this subsection.  
301 (1) For the school year commencing in 1998, and for each school year  
302 thereafter, the program shall be in operation in the Hartford, New  
303 Haven and Bridgeport regions. The Hartford program shall operate as  
304 a continuation of the program described in section 10-266j. Students  
305 who reside in Hartford, New Haven or Bridgeport may attend school  
306 in another school district in the region and students who reside in such  
307 other school districts may attend school in Hartford, New Haven or  
308 Bridgeport, provided, beginning with the 2001-2002 school year, the  
309 proportion of students who are not minority students to the total  
310 number of students leaving Hartford, Bridgeport or New Haven to  
311 participate in the program shall not be greater than the proportion of  
312 students who were not minority students in the prior school year to  
313 the total number of students enrolled in Hartford, Bridgeport or New  
314 Haven in the prior school year. The regional educational service center  
315 operating the program shall make program participation decisions in

316 accordance with the requirements of this subdivision. (2) For the  
317 school year commencing in 2000, and for each school year thereafter,  
318 the program shall be in operation in New London, provided beginning  
319 with the 2001-2002 school year, the proportion of students who are not  
320 minority students to the total number of students leaving New London  
321 to participate in the program shall not be greater than the proportion  
322 of students who were not minority students in the prior year to the  
323 total number of students enrolled in New London in the prior school  
324 year. The regional educational service center operating the program  
325 shall make program participation decisions in accordance with this  
326 subdivision. (3) The Department of Education may provide, within  
327 available appropriations, grants for the fiscal year ending June 30,  
328 2003, to the remaining regional educational service centers to assist  
329 school districts in planning for a voluntary program of student  
330 enrollment in every priority school district, pursuant to section 10-  
331 266p, which is interested in participating in accordance with this  
332 subdivision. For the school year commencing in 2003, and for each  
333 school year thereafter, the voluntary enrollment program may be in  
334 operation in every priority school district in the state. Students from  
335 other school districts in the area of a priority school district, as  
336 determined by the regional educational service center pursuant to  
337 subsection (d) of this section, may attend school in the priority school  
338 district, provided such students bring racial, ethnic and economic  
339 diversity to the priority school district and do not increase the racial,  
340 ethnic and economic isolation in the priority school district.

341 (d) School districts which received students from New London  
342 under the program during the 2000-2001 school year shall allow such  
343 students to attend school in the district until they graduate from high  
344 school. The attendance of such students in such program shall not be  
345 supported by grants pursuant to subsections (f) and (g) of this section  
346 but shall be supported, in the same amounts as provided for in said  
347 subsections, by interdistrict cooperative grants pursuant to section 10-  
348 74d to the regional educational service centers operating such  
349 programs.

350 (e) Once the program is in operation in the region served by a  
351 regional educational service center pursuant to subsection (c) of this  
352 section, the Department of Education shall provide an annual grant to  
353 such regional educational service center to assist school districts in its  
354 area in administering the program and to provide staff to assist  
355 students participating in the program to make the transition to a new  
356 school and to act as a liaison between the parents of such students and  
357 the new school district. Each regional educational service center shall  
358 determine which school districts in its area are located close enough to  
359 a priority school district to make participation in the program feasible  
360 in terms of student transportation pursuant to subsection (f) of this  
361 section, provided any student participating in the program prior to  
362 July 1, 1999, shall be allowed to continue to attend the same school  
363 such student attended prior to said date in the receiving district until  
364 the student completes the highest grade in such school. Each regional  
365 educational service center shall convene, annually, a meeting of  
366 representatives of such school districts in order for such school  
367 districts to report, by March thirty-first, the number of spaces available  
368 for the following school year for out-of-district students under the  
369 program. Annually, each regional educational service center shall  
370 provide a count of such spaces to the Department of Education by  
371 April fifteenth. If there are more students who seek to attend school in  
372 a receiving district than there are spaces available, the regional  
373 educational service center shall assist the school district in determining  
374 attendance by the use of a lottery or lotteries designed to preserve or  
375 increase racial, ethnic and economic diversity, except that the regional  
376 educational service center shall give preference to siblings and to  
377 students who would otherwise attend a school that has lost its  
378 accreditation by the New England Association of Schools and Colleges  
379 or has been identified as in need of improvement pursuant to the No  
380 Child Left Behind Act, P.L. 107-110. The admission policies shall be  
381 consistent with section 10-15c and this section. No receiving district  
382 shall recruit students under the program for athletic or extracurricular  
383 purposes. Each receiving district shall allow out-of-district students it  
384 accepts to attend school in the district until they graduate from high

385 school.

386 (f) [The] Except as provided in section 12 of this act, the Department  
387 of Education shall provide grants to regional educational service  
388 centers or local or regional boards of education for the reasonable cost  
389 of transportation for students participating in the program. For the  
390 fiscal year ending June 30, 2003, and each fiscal year thereafter, the  
391 department shall provide such grants within available appropriations,  
392 provided the state-wide average of such grants does not exceed an  
393 amount equal to three thousand two hundred fifty dollars for each  
394 student transported, except that the Commissioner of Education may  
395 grant to regional educational service centers additional sums from  
396 funds remaining in the appropriation for such transportation services  
397 if needed to offset transportation costs that exceed such maximum  
398 amount. The regional educational service centers shall provide  
399 reasonable transportation services to high school students who wish to  
400 participate in supervised extracurricular activities. For purposes of this  
401 section, the number of students transported shall be determined on  
402 September first of each fiscal year.

403 (g) [The] (1) Except as provided in subdivision (2) of this subsection,  
404 the Department of Education shall provide, within available  
405 appropriations, an annual grant to the local or regional board of  
406 education for each receiving district in an amount not to exceed two  
407 thousand five hundred dollars for each out-of-district student who  
408 attends school in the receiving district under the program.

409 (2) For the fiscal year ending June 30, 2012, and each fiscal year  
410 thereafter, the department shall provide, within available  
411 appropriations, an annual grant to the local or regional board of  
412 education for each receiving district that assists the state in meeting the  
413 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William  
414 A. O'Neill, et al., as determined by the commissioner, in an amount  
415 equal to (A) three thousand dollars for each out-of-district student who  
416 attends school in the receiving district under the program if the  
417 number of such out-of-district students is less than two per cent of the

418 total student population of such receiving district, (B) four thousand  
419 dollars for each out-of-district student who attends school in the  
420 receiving district under the program if the number of such out-of-  
421 district students is greater than or equal to two per cent but less than  
422 three per cent of the total student population of such receiving district,  
423 and (C) six thousand dollars for each out-of-district student who  
424 attends school in the receiving district under the program if the  
425 number of such out-of-district students is greater than or equal to three  
426 per cent of the total student population of such receiving district,  
427 except the Commissioner of Education may increase the grant amounts  
428 to receiving districts under this subdivision if the commissioner  
429 determines that doing so would assist the state in meeting the goals of  
430 the 2008 stipulation and order for Milo Sheff, et al. v. William A.  
431 O'Neill, et al.

432 (3) Each town which receives funds pursuant to this subsection shall  
433 make such funds available to its local or regional board of education in  
434 supplement to any other local appropriation, other state or federal  
435 grant or other revenue to which the local or regional board of  
436 education is entitled.

437 (h) Notwithstanding any provision of this chapter, each sending  
438 district and each receiving district shall divide the number of children  
439 participating in the program who reside in such district or attend  
440 school in such district by two for purposes of the counts for  
441 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)  
442 of section 10-261.

443 (i) In the case of an out-of-district student who requires special  
444 education and related services, the sending district shall pay the  
445 receiving district an amount equal to the difference between the  
446 reasonable cost of providing such special education and related  
447 services to such student and the amount received by the receiving  
448 district pursuant to subsection (g) of this section and in the case of  
449 students participating pursuant to subsection (d) of this section, the  
450 per pupil amount received pursuant to section 10-74d. The sending

451 district shall be eligible for reimbursement pursuant to section 10-76g,  
452 as amended by this act.

453 (j) Nothing in this section shall prohibit school districts from  
454 charging tuition to other school districts that do not have a high school  
455 pursuant to section 10-33.

456 (k) On or before October fifteenth of each year, the Commissioner of  
457 Education shall determine if the enrollment in the program pursuant  
458 to subsection (c) of this section for the fiscal year is below the number  
459 of students for which funds were appropriated. If the commissioner  
460 determines that the enrollment is below such number, the additional  
461 funds shall not lapse but shall be used by the commissioner in  
462 accordance with this subsection.

463 (1) Any amount up to five hundred thousand dollars of such  
464 nonlapsing funds shall be used for supplemental grants to receiving  
465 districts on a pro rata basis for each out-of-district student in the  
466 program pursuant to subsection (c) of this section who attends the  
467 same school in the receiving district as at least nine other such out-of-  
468 district students, not to exceed one thousand dollars per student.

469 (2) Any amount equal to or greater than five hundred thousand  
470 dollars, and in an amount determined by the commissioner, of such  
471 nonlapsing funds shall be used for supplemental grants to receiving  
472 districts on a pro rata basis that report to the commissioner on or  
473 before March first of the current school year that the number of out-of-  
474 district students enrolled in such receiving district is greater than the  
475 number of out-of-district students enrolled in such receiving district  
476 from the previous school year.

477 (3) Any remaining nonlapsing funds, in an amount to be  
478 determined by the commissioner, shall be used by the commissioner to  
479 increase enrollment in the interdistrict public school attendance  
480 program described in this section.

481 ~~[(2)]~~ (4) Any remaining nonlapsing funds shall be used for

482 interdistrict cooperative grants pursuant to section 10-74d.

483 (l) For purposes of the state-wide mastery examinations under  
484 section 10-14n, students participating in the program established  
485 pursuant to this section shall be considered residents of the school  
486 district in which they attend school.

487 (m) Within available appropriations, the commissioner may make  
488 grants to regional education service centers which provide summer  
489 school educational programs approved by the commissioner to  
490 students participating in the program.

491 (n) The Commissioner of Education may provide grants for children  
492 in the Hartford program described in this section to participate in  
493 preschool and all day kindergarten programs. In addition to the  
494 subsidy provided to the receiving district for educational services,  
495 such grants may be used for the provision of before and after-school  
496 care and remedial services for the preschool and kindergarten students  
497 participating in the program.

498 (o) Within available appropriations, the commissioner may make  
499 grants for academic student support for programs pursuant to this  
500 section that assist the state in meeting the goals of the 2008 stipulation  
501 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as  
502 determined by the commissioner.

503 Sec. 14. (NEW) (*Effective July 1, 2011*) (a) For purposes of this section,  
504 "school choice program" means (1) an interdistrict magnet school  
505 operating pursuant to section 10-264l of the general statutes, as  
506 amended by this act, (2) the open choice program pursuant to section  
507 10-266aa of the general statutes, as amended by this act, (3) a regional  
508 vocational-technical school, (4) a regional agricultural science and  
509 technology education center, or (5) an innovational school that assists  
510 the state in meeting the goals of the 2008 stipulation and order for Milo  
511 Sheff, et al. v. William A. O'Neill, et al.

512 (b) The Department of Education shall provide transportation

513 grants to (1) a local or regional board of education, (2) a regional  
514 educational service center, (3) the Board of Trustees of the  
515 Community-Technical Colleges on behalf of Quinebaug Valley  
516 Community College, (4) a cooperative arrangement pursuant to section  
517 10-158a of the general statutes, (5) the Board of Trustees of the  
518 Community-Technical Colleges on behalf of a regional community-  
519 technical college, (6) the Board of Trustees of the Connecticut State  
520 University System on behalf of a state university, (7) the Board of  
521 Trustees for The University of Connecticut on behalf of the university,  
522 (8) the board of governors for an independent college or university, as  
523 defined in section 10a-37 of the general statutes, or the equivalent of  
524 such a board, on behalf of the independent college or university, and  
525 (9) any other third-party not-for-profit corporation approved by the  
526 commissioner, which transports a child to an eligible out-of-district  
527 school choice program to assist the state in meeting the goals of the  
528 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et  
529 al., as determined by the commissioner.

530 (c) The amount of such grant shall not exceed an amount equal to  
531 the number of such children transported multiplied by three thousand  
532 two hundred fifty dollars.

533 (d) Grants under this section shall be contingent on documented  
534 costs of providing such transportation. Eligible entities identified in  
535 subdivision (1) of subsection (b) of this section shall submit  
536 applications for grants under this section to the Commissioner of  
537 Education in such form and at such times as the commissioner  
538 prescribes. Grants pursuant to this section shall be paid as follows: In  
539 October one-half of the estimated eligible transportation cost and the  
540 balance of such cost in May.

541 Sec. 15. Section 10-264i of the general statutes is repealed and the  
542 following is substituted in lieu thereof (*Effective July 1, 2011*):

543 (a) (1) (A) A local or regional board of education, (B) regional  
544 educational service center, (C) the Board of Trustees of the

545 Community-Technical Colleges on behalf of Quinebaug Valley  
546 Community College, or (D) cooperative arrangement pursuant to  
547 section 10-158a, [or (E) to assist the state in meeting the goals of the  
548 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et  
549 al., as determined by the Commissioner of Education, (i) the Board of  
550 Trustees of the Community-Technical Colleges on behalf of a regional  
551 community-technical college, (ii) the Board of Trustees of the  
552 Connecticut State University System on behalf of a state university, (iii)  
553 the Board of Trustees for The University of Connecticut on behalf of  
554 the university, (iv) the board of governors for an independent college  
555 or university, as defined in section 10a-37, or the equivalent of such a  
556 board, on behalf of the independent college or university, and (v) any  
557 other third-party not-for-profit corporation approved by the  
558 commissioner] which transports a child to an interdistrict magnet  
559 school program, as defined in section 10-264l, as amended by this act,  
560 in a town other than the town in which the child resides shall be  
561 eligible pursuant to section 10-264e to receive a grant for the cost of  
562 transporting such child in accordance with this section.

563 (2) [Except as provided in subdivisions (3) and (4) of this subsection,  
564 the] The amount of such grant shall not exceed an amount equal to the  
565 number of such children transported multiplied by one thousand three  
566 hundred dollars.

567 [(3) For districts assisting the state in meeting the goals of the 2008  
568 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.,  
569 as determined by the commissioner, (i) for the fiscal year ending June  
570 30, 2010, the amount of such grant shall not exceed an amount equal to  
571 the number of such children transported multiplied by one thousand  
572 four hundred dollars, and (ii) for the fiscal year ending June 30, 2011,  
573 the amount of such grant shall not exceed an amount equal to the  
574 number of such children transported multiplied by two thousand  
575 dollars.

576 (4) For the fiscal years ending June 30, 2009, and June 30, 2010, in  
577 addition to the grants otherwise provided pursuant to this section, the

578 Commissioner of Education may provide supplemental transportation  
579 grants to regional educational service centers for the purposes of  
580 transportation to interdistrict magnet schools. Any such grant shall be  
581 provided within available appropriations and after the commissioner  
582 has reviewed and approved the total interdistrict magnet school  
583 transportation budget for a regional education service center,  
584 including all revenue and expenditure estimates. For the fiscal year  
585 ending June 30, 2010, in addition to the grants otherwise provided  
586 pursuant to this section, the Commissioner of Education, with the  
587 approval of the Secretary of the Office of Policy and Management, may  
588 provide supplemental transportation grants to the Hartford school  
589 district and the Capitol Region Education Council for the purposes of  
590 transportation of students who are not residents of Hartford to  
591 interdistrict magnet schools operated by the Capitol Region Education  
592 Council or the Hartford school district.]

593 [(5)] (3) The Department of Education shall provide such grants  
594 within available appropriations. Nothing in this subsection shall be  
595 construed to prevent a local or regional board of education, regional  
596 educational service center or cooperative arrangement from receiving  
597 reimbursement under section 10-266m, as amended by this act, for  
598 reasonable transportation expenses for which such board, service  
599 center or cooperative arrangement is not reimbursed pursuant to this  
600 section.

601 (b) Grants under this section shall be contingent on documented  
602 costs of providing such transportation. Eligible entities identified in  
603 subdivision (1) of subsection (a) of this section shall submit  
604 applications for grants under this section to the Commissioner of  
605 Education in such form and at such times as he prescribes. Grants  
606 pursuant to this section shall be paid as follows: In October one-half of  
607 the estimated eligible transportation costs and the balance of such costs  
608 in May.

609 (c) Each eligible entity identified in subdivision (1) of subsection (a)  
610 of this section participating in the grant program shall prepare a

611 financial statement of expenditures which shall be submitted to the  
612 Department of Education on or before September first of the fiscal year  
613 immediately following each fiscal year in which the school district,  
614 regional educational service center or cooperative arrangement  
615 participates in the grant program. Based on such statement, any  
616 underpayment or overpayment may be calculated and adjusted by the  
617 Department of Education in the grant for any subsequent year.

618 Sec. 16. Subsection (a) of section 10-266m of the general statutes is  
619 repealed and the following is substituted in lieu thereof (*Effective July*  
620 *1, 2011*):

621 (a) A local or regional board of education providing transportation  
622 in accordance with the provisions of sections 10-54, 10-66ee, 10-97, 10-  
623 158a, 10-273a, 10-277 and 10-281, as amended by this act, shall be  
624 reimbursed for a percentage of such transportation costs as follows:

625 (1) The percentage of pupil transportation costs reimbursed to a  
626 local board of education shall be determined by (A) ranking each town  
627 in the state in descending order from one to one hundred sixty-nine  
628 according to such town's adjusted equalized net grand list per capita,  
629 as defined in section 10-261; (B) based upon such ranking, and  
630 notwithstanding the provisions of section 2-32a, (i) except as otherwise  
631 provided in this subparagraph, a percentage of zero shall be assigned  
632 to towns ranked from one to thirteen and a percentage of not less than  
633 zero nor more than sixty shall be determined for the towns ranked  
634 from fourteen to one hundred sixty-nine on a continuous scale, except  
635 that any such percentage shall be increased by twenty percentage  
636 points in accordance with section 10-97, where applicable, and (ii) for  
637 the fiscal year ending June 30, 1997, and for each fiscal year thereafter,  
638 a percentage of zero shall be assigned to towns ranked from one to  
639 seventeen and a percentage of not less than zero nor more than sixty  
640 shall be determined for the towns ranked from eighteen to one  
641 hundred sixty-nine on a continuous scale.

642 (2) The percentage of pupil transportation costs reimbursed to a

643 regional board of education shall be determined by its ranking. Such  
644 ranking shall be determined by (A) multiplying the total population, as  
645 defined in section 10-261, of each town in the district by such town's  
646 ranking, as determined in subdivision (1) of this section, (B) adding  
647 together the figures determined under subparagraph (A) of this  
648 subdivision, and (C) dividing the total computed under subparagraph  
649 (B) of this subdivision by the total population of all towns in the  
650 district. The ranking of each regional board of education shall be  
651 rounded to the next higher whole number and each such board shall  
652 receive the same reimbursement percentage as would a town with the  
653 same rank, provided such percentage shall be increased in the case of a  
654 secondary regional school district by an additional five percentage  
655 points and, in the case of any other regional school district by an  
656 additional ten percentage points.

657 (3) Notwithstanding the provisions of subdivisions (1) and (2) of  
658 this section, for the fiscal year ending June 30, 1997, and for each fiscal  
659 year thereafter, no local or regional board of education shall receive a  
660 grant of less than one thousand dollars.

661 (4) Notwithstanding the provisions of this section, for the fiscal  
662 years ending June 30, 2004, to June 30, [2011] 2013, inclusive, the  
663 amount of transportation grants payable to local or regional boards of  
664 education shall be reduced proportionately if the total of such grants in  
665 such year exceeds the amount appropriated for such grants for such  
666 year.

667 [(5) Notwithstanding the provisions of this section, the  
668 Commissioner of Education may provide grants, within available  
669 appropriations, in an amount not to exceed two thousand dollars per  
670 pupil, to local and regional boards of education and regional  
671 educational service centers that transport (A) out-of-district students to  
672 technical high schools located in Hartford, or (B) Hartford students  
673 attending a technical high school or a regional agricultural science and  
674 technology education center outside of the district, to assist the state in  
675 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.

676 v. William A. O'Neill, et al., as determined by the commissioner, for  
677 the costs associated with such transportation.]

678 [(6)] (5) For the fiscal year ending June 30, 2012, in addition to the  
679 reimbursements and grants payable under subdivisions (1) to (5),  
680 inclusive, of this subsection, the Commissioner of Education shall  
681 provide a grant when (A) two or more boards of education enter into a  
682 cooperative agreement in accordance with section 10-158a to transport  
683 students to schools operated by the boards of education during the  
684 fiscal year ending June 30, 2011, and (B) such cooperative arrangement  
685 results in a savings, as determined by the commissioner, over the  
686 transportation costs incurred by the boards of education during the  
687 fiscal year ending June 30, 2010. This grant, which shall be returned to  
688 the municipalities in which the participating boards of education are  
689 located in accordance with the terms of the written cooperative  
690 arrangement, shall be equal to half of the difference in the amount the  
691 boards of education would have been reimbursed in the fiscal year  
692 ending June 30, 2012, for pupil transportation costs but for the savings  
693 realized in the fiscal year ending June 30, 2011, pursuant to the  
694 cooperative arrangement.

695 Sec. 17. (*Effective from passage*) (a) There is established a task force to  
696 study issues relating to (1) the equalization aid grant formula set forth  
697 in section 10-262h of the general statutes, (2) state grants to interdistrict  
698 magnet schools and regional agricultural science and technology  
699 education centers, and (3) funding issues relating to the cost of special  
700 education for the state and municipalities.

701 (b) The task force shall consist of the following members:

702 (1) The Secretary of the Office of Policy and Management, or the  
703 secretary's designee;

704 (2) The Commissioner of Education, or the commissioner's designee;

705 (3) The chairpersons of the joint standing committee of the General  
706 Assembly having cognizance of matters relating to education;

707 (4) Three appointed by the Governor, one of whom shall be a  
708 representative from the Connecticut Conference of Municipalities, one  
709 of whom shall be a representative from the Connecticut Conference of  
710 Small Towns and one of whom shall be a person with financial  
711 expertise and experience relating to grades kindergarten to twelve,  
712 inclusive;

713 (5) Two appointed by the speaker of the House of Representatives,  
714 one of whom shall be a representative of the American Federation of  
715 Teachers-Connecticut and one of whom shall be a representative of the  
716 Connecticut Association of Boards of Education;

717 (6) Two appointed by the president pro tempore of the Senate, one  
718 of whom shall be a representative of the Connecticut Education  
719 Association and one of whom shall be a representative of the  
720 Connecticut Association of School Business Officials;

721 (7) One appointed by the majority leader of the House of  
722 Representatives who shall be a representative from the Connecticut  
723 Association of Public School Superintendents;

724 (8) One appointed by the majority leader of the Senate who shall be  
725 a representative from the Connecticut Association of Schools;

726 (9) One appointed by the minority leader of the House of  
727 Representatives who shall be a representative from the Connecticut  
728 Council of Administrators of Special Education; and

729 (10) One appointed by the minority leader of the Senate who shall  
730 be a representative from the Connecticut Federation of School  
731 Administrators;

732 (c) All appointments to the task force shall be made not later than  
733 thirty days after the effective date of this section. Any vacancy shall be  
734 filled by the appointing authority.

735 (d) The Secretary of the Office of Policy and Management, or the

736 secretary's designee shall serve as the chairpersons of the task force.  
737 The chairperson shall schedule the first meeting of the task force,  
738 which shall be held not later than sixty days after the effective date of  
739 this section.

740 (e) The administrative staff of the Department of Education shall  
741 serve as administrative staff of the task force.

742 (f) Not later than January 15, 2012, the task force shall submit a  
743 report on its findings and recommendations to the Governor and the  
744 joint standing committee of the General Assembly having cognizance  
745 of matters relating to education, in accordance with the provisions of  
746 section 11-4a of the general statutes. The task force shall terminate on  
747 the date that it submits such report or January 15, 2012, whichever is  
748 later.

749 Sec. 18. Section 10-262i of the general statutes is repealed and the  
750 following is substituted in lieu thereof (*Effective July 1, 2011*):

751 (a) For the fiscal year ending June 30, 1990, and for each fiscal year  
752 thereafter, each town shall be paid a grant equal to the amount the  
753 town is entitled to receive under the provisions of section 10-262h, as  
754 calculated using the data of record as of the December first prior to the  
755 fiscal year such grant is to be paid, adjusted for the difference between  
756 the final entitlement for the prior fiscal year and the preliminary  
757 entitlement for such fiscal year as calculated using the data of record as  
758 of the December first prior to the fiscal year when such grant was paid.

759 (b) The amount due each town pursuant to the provisions of  
760 subsection (a) of this section shall be paid by the Comptroller, upon  
761 certification of the Commissioner of Education, to the treasurer of each  
762 town entitled to such aid in installments during the fiscal year as  
763 follows: Twenty-five per cent of the grant in October, twenty-five per  
764 cent of the grant in January and the balance of the grant in April. The  
765 balance of the grant due towns under the provisions of this subsection  
766 shall be paid in March rather than April to any town which has not

767 adopted the uniform fiscal year and which would not otherwise  
768 receive such final payment within the fiscal year of such town.

769 (c) All aid distributed to a town pursuant to the provisions of this  
770 section shall be expended for educational purposes only and shall be  
771 expended upon the authorization of the local or regional board of  
772 education. For the fiscal year ending June 30, 1999, and each fiscal year  
773 thereafter, if a town receives an increase in funds pursuant to this  
774 section over the amount it received for the prior fiscal year such  
775 increase shall not be used to supplant local funding for educational  
776 purposes. The budgeted appropriation for education in any town  
777 receiving an increase in funds pursuant to this section shall be not less  
778 than the amount appropriated for education for the prior year plus  
779 such increase in funds.

780 [(d) For the fiscal years ending June 30, 2010, and June 30, 2011, the  
781 budgeted appropriation for education shall be no less than the  
782 budgeted appropriation for education for the fiscal year ending June  
783 30, 2009, minus any reductions made pursuant to section 19 of public  
784 act 09-1 of the June 19 special session, except that for the fiscal year  
785 ending June 30, 2010, those districts whose number of resident  
786 students for the school year commencing July 1, 2009, is lower than  
787 such district's number of resident students for the school year  
788 commencing July 1, 2008, may reduce such district's budgeted  
789 appropriation for education by the difference in number of resident  
790 students for such school years multiplied by three thousand.]

791 [(e)] (d) Notwithstanding the provisions of subsection (c) of this  
792 section, for the fiscal years ending June 30, 2008, and June 30, 2009, the  
793 budgeted appropriation for education in any town receiving an  
794 increase in funds pursuant to this section shall be not less than the  
795 amount appropriated for education for the prior year plus the  
796 percentage of such increase in funds as determined under subsection  
797 (f) of this section.

798 (e) For the fiscal years ending June 30, 2010, and June 30, 2011, the

799 budgeted appropriation for education shall be no less than the  
800 budgeted appropriation for education for the fiscal year ending June  
801 30, 2009, minus any reductions made pursuant to section 19 of public  
802 act 09-1 of the June 19 special session, except that for the fiscal year  
803 ending June 30, 2010, those districts with a number of resident  
804 students for the school year commencing July 1, 2009, that is lower  
805 than such district's number of resident students for the school year  
806 commencing July 1, 2008, may reduce such district's budgeted  
807 appropriation for education by the difference in number of resident  
808 students for such school years multiplied by three thousand.

809 (f) For the fiscal years ending June 30, 2012, and June 30, 2013, the  
810 budgeted appropriation for education shall be no less than the  
811 budgeted appropriation for education for the fiscal year ending June  
812 30, 2011, plus any reductions made pursuant to section 19 of public act  
813 09-1 of the June 19 special session, except that (1) for the fiscal year  
814 ending June 30, 2012, those districts with a number of resident  
815 students for the school year commencing July 1, 2011, that is lower  
816 than such district's number of resident students for the school year  
817 commencing July 1, 2010, may reduce such district's budgeted  
818 appropriation for education by the difference in number of resident  
819 students for such school years multiplied by three thousand, and (2)  
820 for the fiscal year ending June 30, 2013, those districts with a number  
821 of resident students for the school year commencing July 1, 2012, that  
822 is lower than such district's number of resident students for the school  
823 year commencing July 1, 2011, may reduce such district's budgeted  
824 appropriation for education by the difference in number of resident  
825 students for such school years multiplied by three thousand.

826 [(f)] (g) (1) Except as provided for in subdivisions (2), (3) and (4) of  
827 this subsection, the percentage of the increase in aid pursuant to this  
828 section applicable under subsection [(e)] (d) of this section shall be the  
829 average of the results of (A) (i) a town's current program expenditures  
830 per resident student pursuant to subdivision (36) of section 10-262f,  
831 subtracted from the highest current program expenditures per resident

832 student in this state, (ii) divided by the difference between the highest  
833 current program expenditures per resident student in this state and the  
834 lowest current program expenditures per resident student in this state,  
835 (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, (B)  
836 (i) a town's wealth pursuant to subdivision (26) of section 10-262f,  
837 subtracted from the wealth of the town with the highest wealth of all  
838 towns in this state, (ii) divided by the difference between the wealth of  
839 the town with the highest wealth of all towns in this state and the  
840 wealth of the town with the lowest wealth of all towns in this state, (iii)  
841 multiplied by thirty per cent, (iv) plus fifty percentage points, and (C)  
842 (i) a town's grant mastery percentage pursuant to subdivision (12) of  
843 section 10-262f, subtracted from one, subtracted from one minus the  
844 grant mastery percentage of the town with the highest grant mastery  
845 percentage in this state, (ii) divided by the difference between one  
846 minus the grant mastery percentage of the town with the highest grant  
847 mastery percentage in this state and one minus the grant mastery  
848 percentage of the town with the lowest grant mastery percentage in  
849 this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage  
850 points.

851 (2) For the fiscal year ending June 30, 2009, any town whose school  
852 district is in its third year or more of being identified as in need of  
853 improvement pursuant to section 10-223e, and has failed to make  
854 adequate yearly progress in mathematics or reading at the whole  
855 district level, the percentage determined pursuant to subdivision (1) of  
856 this subsection for such town shall be increased by an additional  
857 twenty percentage points.

858 (3) For the fiscal year ending June 30, 2010, any town whose school  
859 district is in its third year or more of being identified as in need of  
860 improvement pursuant to section 10-223e, and has failed to make  
861 adequate yearly progress in mathematics or reading at the whole  
862 district level, the percentage of the increase in aid pursuant to this  
863 section applicable under subsection [(e)] (d) of this section shall be the  
864 percentage of the increase determined under subdivision (1) of this

865 section for such town, plus twenty percentage points, or eighty per  
866 cent, whichever is greater.

867 (4) Notwithstanding the provisions of this section, for the fiscal year  
868 ending June 30, 2008, and each fiscal year thereafter, any town that (A)  
869 is a member of a regional school district that serves only grades seven  
870 to twelve, inclusive, or grades nine to twelve, inclusive, (B)  
871 appropriates at least the minimum percentage of increase in aid  
872 pursuant to the provisions of this section, and (C) has a reduced  
873 assessment from the previous fiscal year for students enrolled in such  
874 regional school district, excluding debt service for such students, shall  
875 be considered to be in compliance with the provisions of this section.

876 (5) Notwithstanding any provision of the general statutes, charter,  
877 special act or home rule ordinance, on or before September 15, 2007,  
878 for the fiscal year ending June 30, 2008, a town may request the  
879 Commissioner of Education to defer a portion of the town's increase in  
880 aid over the prior fiscal year pursuant to this section to be expended in  
881 the subsequent fiscal year. If the commissioner approves such request,  
882 the deferred amount shall be credited to the increase in aid for the  
883 fiscal year ending June 30, 2009, rather than the fiscal year ending June  
884 30, 2008. Such funds shall be expended in the fiscal year ending June  
885 30, 2009, in accordance with the provisions of this section. In no case  
886 shall a town be allowed to defer increases in aid required to be spent  
887 for education as a result of failure to make adequate yearly progress in  
888 accordance with the provisions of subdivisions (2) and (3) of this  
889 subsection.

890 ~~[(g)]~~ (h) Upon a determination by the State Board of Education that  
891 a town or kindergarten to grade twelve, inclusive, regional school  
892 district failed in any fiscal year to meet the requirements pursuant to  
893 subsection (c), (d), ~~[or]~~ (e) or (f) of this section, the town or  
894 kindergarten to grade twelve, inclusive, regional school district shall  
895 forfeit an amount equal to two times the amount of the shortfall. The  
896 amount so forfeited shall be withheld by the Department of Education  
897 from the grant payable to the town in the second fiscal year

898 immediately following such failure by deducting such amount from  
899 the town's equalization aid grant payment pursuant to this section,  
900 except that in the case of a kindergarten to grade twelve, inclusive,  
901 regional school district, the amount so forfeited shall be withheld by  
902 the Department of Education from the grants payable pursuant to this  
903 section to the towns which are members of such regional school  
904 district. The amounts deducted from such grants to each member town  
905 shall be proportional to the number of resident students in each  
906 member town. Notwithstanding the provisions of this subsection, the  
907 State Board of Education may waive such forfeiture upon agreement  
908 with the town or kindergarten to grade twelve, inclusive, regional  
909 school district that the town or kindergarten to grade twelve, inclusive,  
910 regional school district shall increase its budgeted appropriation for  
911 education during the fiscal year in which the forfeiture would occur by  
912 an amount not less than the amount of said forfeiture or for other good  
913 cause shown. Any additional funds budgeted pursuant to such an  
914 agreement shall not be included in a district's budgeted appropriation  
915 for education for the purpose of establishing any future minimum  
916 budget requirement.

917       Sec. 19. (*Effective from passage*) (a) There is established a task force to  
918 study the finance, management and enrollment structure of the  
919 regional vocational-technical school system. Such study shall (1)  
920 conduct a cost-benefit analysis of (A) maintaining and strengthening  
921 the existing regional vocational-technical school system operated by  
922 the State Board of Education, (B) developing stronger articulation  
923 agreements between the regional vocational-technical school system  
924 and the regional community-technical colleges, (C) transferring the  
925 regional vocational-technical school system to local and regional  
926 boards of education or regional educational service centers, and (D)  
927 maintaining or transferring adult programs offered at the regional  
928 vocational-technical schools, (2) consider the effects of maintaining the  
929 existing regional vocational-technical school system or transferring the  
930 regional vocational-technical school system to local and regional  
931 boards of education, regional educational service centers or the

932 regional community-technical colleges on facilities, equipment and  
933 personnel management of the regional vocational-technical school  
934 system, and (3) compare and analyze the findings of subdivisions (1)  
935 and (2) of this subsection.

936 (b) The task force shall consist of the following members:

937 (1) The Secretary of the Office of Policy and Management, or the  
938 secretary's designee;

939 (2) The Commissioner of Education, or the commissioner's designee;

940 (3) The Commissioner of Economic and Community Development,  
941 or the commissioner's designee;

942 (4) The chancellor of the community-technical college system, or the  
943 chancellor's designee;

944 (5) The chairpersons of the joint standing committee of the General  
945 Assembly having cognizance of matters relating to education;

946 (6) One appointed by the Governor who shall be a representative  
947 from a regional workforce investment board;

948 (7) Two appointed by the president pro tempore of the Senate, one  
949 of whom shall be a representative of the Connecticut Education  
950 Association and one of whom shall be a representative of the  
951 Connecticut Business and Industry Association;

952 (8) Two appointed by the speaker of the House of Representatives,  
953 one of whom shall be a representative of the American Federation of  
954 Teachers-Connecticut and one of whom shall be a person with  
955 experience in manufacturing or a trade offered at the regional  
956 vocational-technical schools or be alumni of or have served as an  
957 educator at a regional vocational-technical school;

958 (9) One appointed by the majority leader of the Senate who shall be  
959 a representative of the RESC Alliance;

960 (10) One appointed by the majority leader of the House of  
961 Representatives who shall be a representative of the Connecticut  
962 Association of School Business Officials;

963 (11) One appointed by the minority leader of the Senate who shall  
964 be a representative of the Connecticut Association of Boards of  
965 Education; and

966 (12) One appointed by the minority leader of the House of  
967 Representatives who shall be a representative of the Connecticut  
968 Association of Public School Superintendents.

969 (c) All appointments to the task force shall be made not later than  
970 thirty days after the effective date of this section. Any vacancy shall be  
971 filled by the appointing authority.

972 (d) The Secretary of the Office of Policy and Management, or the  
973 secretary's designee, shall serve as the chairperson of the task force  
974 from among the members of the task force. The chairperson shall  
975 schedule the first meeting of the task force, which shall be held not  
976 later than sixty days after the effective date of this section.

977 (e) The administrative staff of the Department of Education shall  
978 serve as administrative staff of the task force.

979 (f) Not later than January 15, 2012, the task force shall submit a  
980 report on its findings and recommendations to the joint standing  
981 committee of the General Assembly having cognizance of matters  
982 relating to education, in accordance with the provisions of section 11-  
983 4a of the general statutes. The task force shall terminate on the date  
984 that it submits such report or January 15, 2012, whichever is later.

985 Sec. 20. (NEW) (*Effective July 1, 2011*) (a) As used in this section:

986 (1) "Crandall school program" means a program offered at a public  
987 school that (A) has a specialized curriculum or theme, such as art,  
988 science, technology, engineering, mathematics, history, government,

989 English, world languages or preschool or full-day kindergarten, and  
990 (B) is designed to promote participation in the open choice program  
991 pursuant to section 10-266aa of the general statutes, as amended by  
992 this act;

993 (2) "Sending district" means any school district that sends students it  
994 would otherwise be legally responsible for educating to a school  
995 district that offers a Crandall school program and in which such  
996 students are enrolled in such program; and

997 (3) "Minority students" means students who are "pupils of racial  
998 minorities", as defined in section 10-226a of the general statutes.

999 (b) For the school year commencing July 1, 2012, and each school  
1000 year thereafter, the Department of Education shall, within available  
1001 appropriations, establish a Crandall school program. A Crandall  
1002 school program shall be available to any local or regional board of  
1003 education that assists the state in meeting the goals of the 2008  
1004 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

1005 (c) Any local or regional board of education seeking to participate in  
1006 the Crandall school program shall submit an application for a grant for  
1007 such program to the Commissioner of Education at such time and in  
1008 such manner as the commissioner prescribes. In determining whether  
1009 to award a grant pursuant to this section, the commissioner shall  
1010 consider, but such consideration shall not be limited to, (1) whether the  
1011 Crandall school program offered by the local or regional board of  
1012 education reduces racial isolation, (2) whether the educational  
1013 program offered through the Crandall school program is likely to  
1014 increase student achievement, (3) whether the educational program  
1015 offered through the Crandall school program is unique and will not  
1016 adversely impact enrollment at existing interdistrict magnet schools,  
1017 regional vocational-technical schools and regional agricultural science  
1018 and technology education centers in the region, and (4) the proposed  
1019 operating budget and funding sources for the innovation school.

1020 (d) Each local or regional board of education participating in the  
1021 Crandall school program shall be eligible to receive a per pupil grant  
1022 as follows: (1) Four thousand dollars for each student who is a resident  
1023 of Hartford and is enrolled in a Crandall school program offered by a  
1024 local or regional board of education for a school district other than the  
1025 Hartford school district, provided at least twenty-five per cent of the  
1026 students enrolled in such Crandall school program are students who  
1027 are residents of Hartford, and (2) four thousand dollars for each  
1028 student enrolled in a Crandall school program offered by the Hartford  
1029 school district who is not a resident of such district, provided the  
1030 number of minority students enrolled in such Crandall school program  
1031 is not greater than seventy-five per cent.

1032 (e) The commissioner may, within available appropriations, provide  
1033 annual operating grants to local or regional boards of education  
1034 offering Crandall school programs in an amount not to exceed two  
1035 hundred fifty thousand dollars for the purposes of enhancing the  
1036 educational specialized curriculum or theme offered by such program.

1037 (f) Notwithstanding any provision of chapter 172 of the general  
1038 statutes, each sending district and each district offering a Crandall  
1039 school program shall divide the number of children participating in  
1040 such program who reside in such district or attend school in such  
1041 district by two for purposes of the counts for subdivision (22) of  
1042 section 10-262f of the general statutes and subdivision (2) of subsection  
1043 (a) of section 10-261 of the general statutes.

1044 (g) In the case of an out-of-district student enrolled in a Crandall  
1045 school program who requires special education and related services,  
1046 the sending district shall pay the district offering a Crandall school  
1047 program an amount equal to the difference between the reasonable  
1048 cost of providing such special education and related services to such  
1049 student and the amount received by the receiving district pursuant to  
1050 subsection (d) of this section. The sending district shall be eligible for  
1051 reimbursement pursuant to section 10-76g of the general statutes, as  
1052 amended by this act.

1053 (h) The department shall provide grants to local or regional boards  
1054 of education offering a Crandall school program for the reasonable  
1055 cost of transportation for students participating in such program. For  
1056 the fiscal year ending June 30, 2013, and each fiscal year thereafter, the  
1057 department shall provide such grants within available appropriations,  
1058 provided the state-wide average of such grants does not exceed an  
1059 amount equal to three thousand two hundred fifty dollars for each  
1060 student transported. For purposes of this section, the number of  
1061 students transported shall be determined on September first of each  
1062 fiscal year.

1063 (i) In accordance with the provisions of subsection (l) of this section,  
1064 for purposes of the state-wide mastery examinations under section 10-  
1065 14n of the general statutes, students enrolled in a Crandall school  
1066 program established pursuant to this section shall be considered  
1067 residents of the school district in which they attend school.

1068 (j) Within available appropriations, the commissioner may make  
1069 grants to local or regional boards of education offering Crandall school  
1070 programs which provide summer school educational programs  
1071 approved by the commissioner to students participating in such  
1072 program.

1073 (k) The commissioner may provide grants for children in a Crandall  
1074 school program offered by the Hartford school district to participate in  
1075 preschool and full-day kindergarten programs. In addition to the  
1076 subsidy provided to the district for educational services, such grants  
1077 may be used for the provision of before and after-school care and  
1078 remedial services for the preschool and full-day kindergarten students  
1079 participating in such program.

1080 (l) Each local or regional board of education offering a Crandall  
1081 school program pursuant to this section shall allow out-of-district  
1082 students enrolled in such program to attend school in the district in  
1083 which such program is offered until such out-of-district students  
1084 graduate from high school, pursuant to section 10-266aa of the general

1085 statutes, as amended by this act.

1086 Sec. 21. Section 10-283 of the general statutes is repealed and the  
1087 following is substituted in lieu thereof (*Effective July 1, 2011*):

1088 (a) (1) Each town or regional school district shall be eligible to apply  
1089 for and accept grants for a school building project as provided in this  
1090 chapter. Any town desiring a grant for a public school building project  
1091 may, by vote of its legislative body, authorize the board of education of  
1092 such town to apply to the Commissioner of Education and to accept or  
1093 reject such grant for the town. Any regional school board may vote to  
1094 authorize the supervising agent of the regional school district to apply  
1095 to the Commissioner of Education for and to accept or reject such grant  
1096 for the district. Applications for such grants under this chapter shall be  
1097 made by the superintendent of schools of such town or regional school  
1098 district on the form provided and in the manner prescribed by the  
1099 Commissioner of Education. The application form shall require the  
1100 superintendent of schools to affirm that the school district considered  
1101 the maximization of natural light and the use and feasibility of wireless  
1102 connectivity technology in projects for new construction and alteration  
1103 or renovation of a school building. Grant applications for school  
1104 building projects shall be reviewed by the Commissioner of Education  
1105 on the basis of categories for building projects and standards for school  
1106 construction established by the State Board of Education in accordance  
1107 with this section, provided grant applications submitted for purposes  
1108 of subsection (a) of section 10-65 or section 10-76e shall be reviewed  
1109 annually by the commissioner on the basis of the educational needs of  
1110 the applicant. Notwithstanding the provisions of this chapter, the  
1111 Board of Trustees of the Community-Technical Colleges on behalf of  
1112 Quinebaug Valley Community College and the following entities that  
1113 will operate an interdistrict magnet school that will assist the state in  
1114 meeting the goals of the 2008 stipulation and order for Milo Sheff, et al.  
1115 v. William A. O'Neill, et al., as determined by the commissioner, may  
1116 apply for and shall be eligible to receive grants for school building  
1117 projects pursuant to section 10-264h, as amended by this act, for such a

1118 school: (A) The Board of Trustees of the Community-Technical  
1119 Colleges on behalf of a regional community-technical college, (B) the  
1120 Board of Trustees of the Connecticut State University System on behalf  
1121 of a state university, (C) the Board of Trustees for The University of  
1122 Connecticut on behalf of the university, (D) the board of governors for  
1123 an independent college or university, as defined in section 10a-37, or  
1124 the equivalent of such a board, on behalf of the independent college or  
1125 university, (D) cooperative arrangements pursuant to section 10-158a,  
1126 and (E) any other third-party not-for-profit corporation approved by  
1127 the commissioner.

1128 (2) Each school building project shall be assigned to a category on  
1129 the basis of whether such project is primarily required to: (A) Create  
1130 new facilities or alter existing facilities to provide for mandatory  
1131 instructional programs pursuant to this chapter, for physical education  
1132 facilities in compliance with Title IX of the Elementary and Secondary  
1133 Education Act of 1972 where such programs or such compliance  
1134 cannot be provided within existing facilities or for the correction of  
1135 code violations which cannot be reasonably addressed within existing  
1136 program space; (B) create new facilities or alter existing facilities to  
1137 enhance mandatory instructional programs pursuant to this chapter or  
1138 provide comparable facilities among schools to all students at the same  
1139 grade level or levels within the school district unless such project is  
1140 otherwise explicitly included in another category pursuant to this  
1141 section; and (C) create new facilities or alter existing facilities to  
1142 provide supportive services, provided in no event shall such  
1143 supportive services include swimming pools, auditoriums, outdoor  
1144 athletic facilities, tennis courts, elementary school playgrounds, site  
1145 improvement or garages or storage, parking or general recreation  
1146 areas. All applications submitted prior to July first shall be reviewed  
1147 promptly by the commissioner and the amount of the grant for which  
1148 such project is eligible shall be estimated, provided an application for a  
1149 school building project determined by the commissioner to be a project  
1150 that will assist the state in meeting the goals of the 2008 stipulation and  
1151 order for Milo Sheff, et al. v. William A. O'Neill, et al., shall have until

1152 September first to submit an application for such a project and may  
1153 have until December first of the same year to secure and report all local  
1154 and state approvals required to complete the grant application. The  
1155 commissioner shall annually prepare a listing of all such eligible school  
1156 building projects listed by category together with the amount of the  
1157 estimated grants therefor and shall submit the same to the Governor  
1158 and the General Assembly on or before the fifteenth day of December,  
1159 except as provided in section 10-283a, as amended by this act, with a  
1160 request for authorization to enter into grant commitments. Each such  
1161 listing submitted after December, 1995 shall include a separate  
1162 schedule of authorized projects which have changed in scope or cost to  
1163 a degree determined by the commissioner. Notwithstanding any  
1164 provision of this chapter, no such project that has changed in scope or  
1165 cost to the degree determined by the commissioner shall be eligible for  
1166 reimbursement under this chapter unless it appears on such list. Each  
1167 such listing submitted after December, 2005 shall include a separate  
1168 schedule of authorized projects which have changed in scope or cost to  
1169 a degree determined by the commissioner once, and a separate  
1170 schedule of authorized projects which have changed in scope or cost to  
1171 a degree determined by the commissioner twice. [On and after] Each  
1172 such listing submitted after December, 2010 shall include a report on  
1173 the review conducted by the commissioner of the enrollment  
1174 projections for each such eligible project. For the period beginning July  
1175 1, 2006, and ending June 30, 2012, no project, other than a project for a  
1176 regional vocational-technical school, may appear on the separate  
1177 schedule of authorized projects which have changed in cost more than  
1178 twice. On and after July 1, 2012, no project may appear on the separate  
1179 schedule of authorized projects which have changed in cost more than  
1180 once, except the commissioner may allow a project to appear on such  
1181 separate schedule of authorized projects a second time if the town or  
1182 regional school district for such project can demonstrate that exigent  
1183 circumstances requires such project to appear a second time on such  
1184 separate schedule of authorized projects. The percentage determined  
1185 pursuant to section 10-285a, as amended by this act, at the time a  
1186 school building project on such schedule was originally authorized

1187 shall be used for purposes of the grant for such project. On and after  
1188 July 1, 2006, a project that was not previously authorized as an  
1189 interdistrict magnet school shall not receive a higher percentage for  
1190 reimbursement than that determined pursuant to section 10-285a, as  
1191 amended by this act, at the time a school building project on such  
1192 schedule was originally authorized. The General Assembly shall  
1193 annually authorize the commissioner to enter into grant commitments  
1194 on behalf of the state in accordance with the commissioner's  
1195 categorized listing for such projects as the General Assembly shall  
1196 determine. The commissioner may not enter into any such grant  
1197 commitments except pursuant to such legislative authorization. Any  
1198 regional school district which assumes the responsibility for  
1199 completion of a public school building project shall be eligible for a  
1200 grant pursuant to subdivision (5) or (6), as the case may be, of  
1201 subsection (a) of section 10-286, as amended by this act, when such  
1202 project is completed and accepted by such regional school district.

1203 (3) (A) All final calculations completed by the Department of  
1204 Education for school building projects authorized on or after July 1,  
1205 1996, shall include a computation of the state grant for the school  
1206 building project amortized on a straight line basis over a twenty-year  
1207 period for school building projects with costs equal to or greater than  
1208 two million dollars and over a ten-year period for school building  
1209 projects with costs less than two million dollars. Any town or regional  
1210 school district which abandons, sells, leases, demolishes or otherwise  
1211 redirects the use of such a school building project to other than a  
1212 public school use during such amortization period shall refund to the  
1213 state the unamortized balance of the state grant remaining as of the  
1214 date the abandonment, sale, lease, demolition or redirection occurs.  
1215 The amortization period for a project shall begin on the date the project  
1216 was accepted as complete by the local or regional board of education.  
1217 A town or regional school district required to make a refund to the  
1218 state pursuant to this subdivision may request forgiveness of such  
1219 refund if the building is redirected for public use. The department  
1220 shall include as an addendum to the annual school construction

1221 priority list all those towns requesting forgiveness. General Assembly  
1222 approval of the priority list containing such request shall constitute  
1223 approval of such request. This subdivision shall not apply to projects  
1224 to correct safety, health and other code violations or to remedy  
1225 certified school indoor air quality emergencies approved pursuant to  
1226 subsection (b) of this section or projects subject to the provisions of  
1227 section 10-285c.

1228 (B) Any moneys refunded to the state pursuant to subparagraph (A)  
1229 of this subdivision shall be deposited in the state's tax-exempt  
1230 proceeds fund and used not later than sixty days after repayment to  
1231 pay debt service on, including redemption, defeasance or purchase of,  
1232 outstanding bonds of the state the interest on which is not included in  
1233 gross income pursuant to Section 103 of the Internal Revenue Code of  
1234 1986, or any subsequent corresponding internal revenue code of the  
1235 United States, as from time to time amended.

1236 (b) (1) Notwithstanding the application date requirements of this  
1237 section, the Commissioner of Education may approve applications for  
1238 grants to assist school building projects to remedy damage from fire  
1239 and catastrophe, to correct safety, health and other code violations, to  
1240 replace roofs, to remedy a certified school indoor air quality  
1241 emergency, or, subject to the provisions of subdivision (2) of this  
1242 subsection, to purchase and install portable classroom buildings at any  
1243 time within the limit of available grant authorization and make  
1244 payments thereon within the limit of appropriated funds, provided  
1245 portable classroom building projects shall not create a new facility or  
1246 cause an existing facility to be modified so that the portable buildings  
1247 comprise a substantial percentage of the total facility area, as  
1248 determined by the commissioner.

1249 (2) The grants to purchase and install portable classroom buildings  
1250 pursuant to subdivision (1) of this subsection shall be made in  
1251 accordance with the provisions of subparagraph (B) of subdivision (2)  
1252 of subsection (a) of section 10-285a, as amended by this act.

1253 (c) No school building project shall be added to the list prepared by  
1254 the Commissioner of Education pursuant to subsection (a) of this  
1255 section after such list is submitted to the committee of the General  
1256 Assembly appointed pursuant to section 10-283a, as amended by this  
1257 act, unless (1) the project is for a school placed on probation by the  
1258 New England Association of Schools and Colleges and the project is  
1259 necessary to preserve accreditation, (2) the project is necessary to  
1260 replace a school building for which a state agency issued a written  
1261 notice of its intent to take the school property for public purpose, (3)  
1262 [for the fiscal year ending June 30, 2002, the project is in a town  
1263 operating under state governance, or (4)] it is a school building project  
1264 determined by the commissioner to be a project that will assist the  
1265 state in meeting the goals of the 2008 stipulation and order for Milo  
1266 Sheff, et al. v. William A. O'Neill, et al. The provisions of this  
1267 subsection shall not apply to projects previously authorized by the  
1268 General Assembly that require special legislation to correct procedural  
1269 deficiencies.

1270 (d) No application for a school building project shall be accepted by  
1271 the commissioner on or after July 1, 2002, unless the applicant has  
1272 secured funding authorization for the local share of the project costs  
1273 prior to application. The reimbursement percentage for a project  
1274 covered by this subsection shall reflect the rates in effect during the  
1275 fiscal year in which such local funding authorization is secured.

1276 [(e) For each such list submitted in December, 2003, and December,  
1277 2004, the total amount requested by the commissioner for grant  
1278 commitments shall not exceed one billion dollars. In each such list, the  
1279 commissioner shall list the categories described in subdivision (2) of  
1280 subsection (a) of this section in order of priority and shall list the  
1281 projects within each category in order of priority. The commissioner  
1282 shall comply with the limitation on grant commitments provided for  
1283 under this subsection according to such priorities. Eligible projects that  
1284 cannot be included on the list shall be included first on the list  
1285 submitted the next following year.]

1286 Sec. 22. Subsection (a) of section 10-284 of the general statutes is  
1287 repealed and the following is substituted in lieu thereof (*Effective July*  
1288 *1, 2011*):

1289 (a) The Commissioner of Education shall have authority to receive,  
1290 review and approve applications for state grants under this chapter, or  
1291 to disapprove any such application if (1) it does not comply with the  
1292 requirements of the State Fire Marshal or the Department of Public  
1293 Health, (2) it is not accompanied by a life-cycle cost analysis approved  
1294 by the Commissioner of Public Works pursuant to section 16a-38, (3) it  
1295 does not comply with the provisions of sections 10-290d and 10-291, (4)  
1296 it does not meet the standards, requirements or school building  
1297 priorities established by the State Board of Education, [or] (5) the  
1298 estimated construction cost exceeds the per square foot cost for schools  
1299 established by the Commissioner of Education for the county in which  
1300 the project is proposed to be located, or (6) the commissioner  
1301 determines that the proposed educational specifications for or theme  
1302 of the project for which the applicant requests a state grant duplicates a  
1303 program offered by a vocational-technical school or an interdistrict  
1304 magnet school in the same region.

1305 Sec. 23. Subsection (a) of section 10-285a of the general statutes is  
1306 repealed and the following is substituted in lieu thereof (*Effective July*  
1307 *1, 2011*):

1308 (a) The percentage of school building project grant money a local  
1309 board of education may be eligible to receive, under the provisions of  
1310 section 10-286, as amended by this act, shall be determined as follows:  
1311 (1) Each town shall be ranked in descending order from one to one  
1312 hundred sixty-nine according to such town's adjusted equalized net  
1313 grand list per capita, as defined in section 10-261; (2) based upon such  
1314 ranking, a percentage of not less than forty nor more than eighty shall  
1315 be determined for each town on a continuous scale, except that (A) for  
1316 school building projects authorized by the General Assembly during  
1317 the fiscal year ending June 30, 1991, for all such projects so authorized  
1318 thereafter and for grants approved pursuant to subsection (b) of

1319 section 10-283, as amended by this act, for which application is made  
1320 on and after July 1, 1991, the percentage of school building project  
1321 grant money a local board of education may be eligible to receive,  
1322 under the provisions of section 10-286, as amended by this act, shall be  
1323 determined as follows: [(A)] (i) Each town shall be ranked in  
1324 descending order from one to one hundred sixty-nine according to  
1325 such town's adjusted equalized net grand list per capita, as defined in  
1326 section 10-261; [(B)] (ii) based upon such ranking, a percentage of not  
1327 less than twenty nor more than eighty shall be determined for each  
1328 town on a continuous scale, and (B) for grants approved pursuant to  
1329 subsection (b) of section 10-283, as amended by this act, for which  
1330 application is made on and after July 1, 2011, the percentage of school  
1331 building project grant money a local board of education may be  
1332 eligible to receive, under the provisions of section 10-286, as amended  
1333 by this act, shall be determined as follows: (i) Each town shall be  
1334 ranked in descending order from one to one hundred sixty-nine  
1335 according to such town's adjusted equalized net grand list per capita,  
1336 as defined in section 10-261; and (ii) based upon such ranking, a  
1337 percentage of not less than ten nor more than seventy shall be  
1338 determined for new construction or replacement of a school building  
1339 for each town on a continuous scale and a percentage of not less than  
1340 twenty nor more than eighty shall be determined for renovations,  
1341 extensions, code violations, roof replacements and major alterations of  
1342 an existing school building and the new construction or replacement of  
1343 a school building when a town or regional school district can  
1344 demonstrate that a new construction or replacement is less expensive  
1345 than a renovation, extension or major alteration of an existing school  
1346 building for each town on a continuous scale.

1347 Sec. 24. Section 10-286 of the general statutes is repealed and the  
1348 following is substituted in lieu thereof (*Effective July 1, 2011*):

1349 (a) The amount of the grant approved by the Commissioner of  
1350 Education under the provisions of this chapter for any completed  
1351 school building project shall be computed as follows:

1352 (1) For the fiscal year ending June 30, 1984, and each fiscal year  
1353 thereafter, in the case of a new school plant, an extension of an existing  
1354 school building or projects involving the major alteration of any  
1355 existing building to be used for school purposes, the eligible  
1356 percentage, as determined in section 10-285a, as amended by this act,  
1357 of the result of multiplying together the number representing the  
1358 highest projected enrollment, based on data acceptable to the  
1359 Commissioner of Education, for such building during the eight-year  
1360 period from the date a local or regional board of education files a  
1361 notification of a proposed school building project with the Department  
1362 of Education, the number of gross square feet per pupil determined by  
1363 the Commissioner of Education to be adequate for the kind of  
1364 educational program or programs intended, and the eligible cost of  
1365 such project, divided by the gross square feet of such building, or the  
1366 eligible percentage, as determined in section 10-285a, as amended by  
1367 this act, of the eligible cost of such project, whichever is less, provided,  
1368 (A) any such project on which construction was started prior to July 1,  
1369 1975, shall be reimbursed under the formula in effect prior to said date,  
1370 (B) any such project on which construction or payments under this  
1371 chapter were started after June 30, 1975, but prior to July 31, 1983, shall  
1372 be reimbursed based upon the data, submitted for each such project  
1373 and accepted by the Department of Education during said period,  
1374 representing the number of pupils the plant was designed to  
1375 accommodate, (C) any project for which final grant calculation has  
1376 been made after June 30, 1975, but prior to July 31, 1983, shall be  
1377 reimbursed based upon such final calculation, and (D) any such project  
1378 for which estimated grant payments were begun prior to July 31, 1983,  
1379 shall be reimbursed based upon the calculation formula used in  
1380 making such estimated grant payments;

1381 (2) In case of projects involving the purchase of an existing building  
1382 to be used for school purposes, the eligible percentage, as determined  
1383 in section 10-285a, as amended by this act, of the eligible cost as  
1384 determined by the Commissioner of Education, provided any project  
1385 for which an application is made on or after July 1, 1995, involving the

1386 purchase and renovation of an existing facility, may be exempt from  
1387 the standard space specifications, and otherwise ineligible repairs and  
1388 replacements may be considered eligible for reimbursement as part of  
1389 such a project, if information is provided acceptable to the  
1390 commissioner documenting the need for such work and the cost  
1391 savings to the state and the school district of such purchase and  
1392 renovation project in comparison to alternative construction options;

1393 (3) If any school building project described in subdivisions (1) and  
1394 (2) of this subsection includes the construction, extension or major  
1395 alteration of outdoor athletic facilities, tennis courts or a natatorium,  
1396 gymnasium or auditorium, the grant for the construction of such  
1397 outdoor athletic facilities, tennis courts and natatorium shall be limited  
1398 to one-half of the eligible percentage for subdivisions (1) and (2) of the  
1399 net eligible cost of construction thereof; the grant for the construction  
1400 of an area of spectator seating in a gymnasium shall be one-half of the  
1401 eligible percentage for subdivisions (1) and (2) of the net eligible cost of  
1402 construction thereof; and the grant for the construction of the seating  
1403 area in an auditorium shall be limited to one-half of the eligible  
1404 percentage for subdivisions (1) and (2) of the net eligible cost of  
1405 construction of the portion of such area that seats one-half of the  
1406 projected enrollment of the building, as defined in subdivision (1) of  
1407 this subsection, which it serves;

1408 (4) In the case of a regional agricultural science and technology  
1409 education center or the purchase of equipment pursuant to subsection  
1410 (a) of section 10-65 or a regional special education facility pursuant to  
1411 section 10-76e, an amount equal to the eligible cost of such project, as  
1412 determined by the Commissioner of Education;

1413 (5) In the case of a public school administrative or service facility,  
1414 one-half of the eligible percentage for subdivisions (1) and (2) of this  
1415 subsection of the eligible project cost as determined by the  
1416 Commissioner of Education, or in the case of a regional educational  
1417 service center administrative or service facility, the eligible percentage,  
1418 as determined pursuant to subsection (c) of section 10-285a, of the

1419 eligible project cost as determined by the commissioner;

1420 (6) In the case of the total replacement of a roof or the total  
1421 replacement of a portion of a roof which has existed for at least twenty  
1422 years, or in the case of the total replacement of a roof or the total  
1423 replacement of a portion of a roof which has existed for fewer than  
1424 twenty years when it is determined by a registered architect or  
1425 registered engineer that such roof was improperly designed or  
1426 improperly constructed and the town is prohibited from recovery of  
1427 damages or has no other recourse at law or in equity, the eligible  
1428 percentage for subdivisions (1) and (2) of this subsection, of the eligible  
1429 cost as determined by the Commissioner of Education. In the case of  
1430 the total replacement of a roof or the total replacement of a portion of a  
1431 roof which has existed for fewer than twenty years (A) when it is  
1432 determined by a registered architect or registered engineer that such  
1433 roof was improperly designed or improperly constructed and the town  
1434 has recourse at law or in equity and recovers less than such eligible  
1435 cost, the eligible percentage for subdivisions (1) and (2) of this  
1436 subsection of the difference between such recovery and such eligible  
1437 cost, and (B) when the roof is at least fifteen years old but less than  
1438 twenty years old and it cannot be determined by a registered architect  
1439 or registered engineer that such roof was improperly designed or  
1440 improperly constructed, the eligible percentage for subdivisions (1)  
1441 and (2) of this subsection of the eligible project costs provided such  
1442 costs are multiplied by the ratio of the age of the roof to twenty years.  
1443 For purposes of this subparagraph, the age of the roof shall be  
1444 determined in whole years to the nearest year based on the time  
1445 between the completed installation of the old roof and the date of the  
1446 grant application for the school construction project for the new roof;

1447 (7) On and after July 1, 2011, in the case of a project for the purchase  
1448 or replacement of a heating, ventilation or air conditioning system that  
1449 would provide greater energy efficiency or reduce heating fuel costs  
1450 for such town or district, at a percentage of not less than twenty nor  
1451 more than eighty of the eligible cost of such project;

1452        ~~[(7)]~~ (8) For the fiscal year ending June 30, 1984, and for each fiscal  
1453 year thereafter, in the case of projects to correct code violations, the  
1454 eligible percentage, as determined in section 10-285a, as amended by  
1455 this act, of the eligible cost as determined by the Commissioner of  
1456 Education;

1457        ~~[(8)]~~ (9) In the case of a renovation project for which an application  
1458 is made on or after July 1, 1995, the eligible percentage as determined  
1459 in subsection (b) of section 10-285a, multiplied by the eligible costs as  
1460 determined by the commissioner, provided the project may be exempt  
1461 from the standard space specifications, and otherwise ineligible repairs  
1462 and replacements may be considered eligible for reimbursement as  
1463 part of such a project, if information is provided acceptable to the  
1464 commissioner documenting the need for such work and the cost  
1465 savings to the state and the school district of such renovation project in  
1466 comparison to alternative construction options;

1467        ~~[(9)]~~ (10) In the case of projects approved to remedy certified school  
1468 indoor air quality emergencies, the eligible percentage, as determined  
1469 in section 10-285a, as amended by this act, of the eligible cost as  
1470 determined by the Commissioner of Education;

1471        ~~[(10)]~~ (11) In the case of a project involving a turn-key purchase for a  
1472 facility to be used for school purposes, the eligible percentage, as  
1473 determined in section 10-285a, as amended by this act, of the net  
1474 eligible cost as determined by the Commissioner of Education, except  
1475 that for any project involving such a purchase for which an application  
1476 is made on or after July 1, 2006, (A) final plans for all construction  
1477 work included in the turn-key purchase agreement shall be approved  
1478 by the Commissioner of Education in accordance with section 10-292,  
1479 and (B) such project may be exempt from the standard space  
1480 specifications, and otherwise ineligible repairs and replacements may  
1481 be considered eligible for reimbursement as part of such project, if  
1482 information acceptable to the commissioner documents the need for  
1483 such work and that such a purchase will cost less than constructing the  
1484 facility in a different manner and will result in a facility taking on a

1485 useful life comparable to that of a new facility.

1486 (b) (1) In the case of all grants computed under this section for a  
1487 project which constitutes a replacement, extension or major alteration  
1488 of a damaged or destroyed facility, no grant may be paid if a local or  
1489 regional board of education has failed to insure its facilities and capital  
1490 equipment in accordance with the provisions of section 10-220. The  
1491 amount of financial loss due to any damage or destruction to any such  
1492 facility, as determined by ascertaining the replacement value of such  
1493 damage or destruction, shall be deducted from project cost estimates  
1494 prior to computation of the grant.

1495 (2) In the case of any grants computed under this section for a  
1496 school building project authorized pursuant to section 10-283, as  
1497 amended by this act, after July 1, 1979, any federal funds or other state  
1498 funds received for such school building project shall be deducted from  
1499 project costs prior to computation of the grant.

1500 (3) The limitation on grants for new outdoor athletic facilities, tennis  
1501 courts, natatorium, gymnasium and auditorium shall not apply to  
1502 school building projects for which applications for review of  
1503 preliminary plans and specifications on Form 2A were submitted prior  
1504 to October 1, 1975, in the case of towns and prior to October 15, 1975,  
1505 in the case of regional school districts.

1506 (4) Commencing with the school construction projects authorized by  
1507 the General Assembly during the fiscal year ending June 30, 1985, and  
1508 for all such projects so authorized thereafter, the calculation of grants  
1509 pursuant to this section shall be made in accordance with the state  
1510 standard space specifications in effect at the time of the final grant  
1511 calculation, except that on and after July 1, 2005, in the case of a school  
1512 district with an enrollment of less than one hundred fifty students in  
1513 grades kindergarten to grade eight, inclusive, state standard space  
1514 specifications shall not apply in the calculation of grants pursuant to  
1515 this section and the Commissioner of Education may modify the  
1516 standard space specifications for a project in such district.

1517 (c) In the computation of grants pursuant to this section for any  
1518 school building project authorized by the General Assembly pursuant  
1519 to section 10-283, as amended by this act, (1) after January 1, 1993, any  
1520 maximum square footage per pupil limit established pursuant to this  
1521 chapter or any regulation adopted by the State Board of Education  
1522 pursuant to this chapter shall be increased by twenty-five per cent for a  
1523 building constructed prior to 1950; (2) after January 1, 2004, any  
1524 maximum square footage per pupil limit established pursuant to this  
1525 chapter or any regulation adopted by the State Board of Education  
1526 pursuant to this chapter shall be increased by up to one per cent to  
1527 accommodate a heating, ventilation or air conditioning system, if  
1528 needed; (3) for the period from July 1, 2006, to June 30, 2009, inclusive,  
1529 for projects with total authorized project costs greater than ten million  
1530 dollars, if total construction change orders or other change directives  
1531 otherwise eligible for grant assistance under this chapter exceed five  
1532 per cent of the authorized total project cost, only fifty per cent of the  
1533 amount of such change order or other change directives in excess of  
1534 five per cent shall be eligible for grant assistance; and (4) after July 1,  
1535 2009, for projects with total authorized project costs greater than ten  
1536 million dollars, if total construction change orders or other change  
1537 directives otherwise eligible for grant assistance exceed five per cent of  
1538 the total authorized project cost, such change order or other change  
1539 directives in excess of five per cent shall be ineligible for grant  
1540 assistance.

1541 (d) For any school building project receiving state grant assistance  
1542 under this chapter, all change orders or other change directives issued  
1543 for such project on or after July 1, 2008, shall be submitted, not later  
1544 than six months after the date of such issuance, to the Commissioner of  
1545 Education, in a manner prescribed by the commissioner. Only change  
1546 orders or other change directives submitted to the commissioner in  
1547 accordance with this subsection shall be eligible for state grant  
1548 assistance.

1549 Sec. 25. Subsection (a) of section 10-264h of the general statutes is

1550 repealed and the following is substituted in lieu thereof (*Effective July*  
1551 *1, 2011*):

1552 (a) [(1)] For the fiscal year ending June 30, 1996, until the fiscal year  
1553 ending June 30, 2003, a local or regional board of education, regional  
1554 educational service center or a cooperative arrangement pursuant to  
1555 section 10-158a for purposes of an interdistrict magnet school may be  
1556 eligible for reimbursement up to the full reasonable cost of any capital  
1557 expenditure for the purchase, construction, extension, replacement,  
1558 leasing or major alteration of interdistrict magnet school facilities,  
1559 including any expenditure for the purchase of equipment, in  
1560 accordance with this section. [(A)] For the fiscal year ending June 30,  
1561 2004, [and each fiscal year thereafter, such entities, and (B) for the fiscal  
1562 year ending June 30, 2008, and each fiscal year thereafter,] until the  
1563 fiscal year ending June 30, 2011, the following entities that operate an  
1564 interdistrict magnet school that assists the state in meeting the goals of  
1565 the 2008 stipulation and order for Milo Sheff, et al. v. William A.  
1566 O'Neill, et al., as determined by the commissioner: [(i)] (1) The Board  
1567 of Trustees of the Community-Technical Colleges on behalf of a  
1568 regional community-technical college, [(ii)] (2) the Board of Trustees of  
1569 the Connecticut State University System on behalf of a state university,  
1570 [(iii)] (3) the Board of Trustees for The University of Connecticut on  
1571 behalf of the university, [(iv)] (4) the board of governors for an  
1572 independent college or university, as defined in section 10a-37, or the  
1573 equivalent of such a board, on behalf of the independent college or  
1574 university, and [(v)] (5) any other third-party not-for-profit corporation  
1575 approved by the commissioner may be eligible for reimbursement up  
1576 to ninety-five per cent of such cost. For the fiscal year ending June 30,  
1577 2012, and each fiscal year thereafter, a project eligible for  
1578 reimbursement under this section may be eligible for reimbursement  
1579 up to eighty per cent of the eligible cost of such project. To be eligible  
1580 for reimbursement under this section a magnet school construction  
1581 project shall meet the requirements for a school building project  
1582 established in chapter 173, except that the Commissioner of Education  
1583 may waive any requirement in such chapter for good cause. On and

1584 after July 1, 1997, the commissioner shall approve only applications for  
1585 reimbursement under this section that he finds will reduce racial,  
1586 ethnic and economic isolation. On and after July 1, 2009, applications  
1587 for reimbursement under this section for the construction of new  
1588 interdistrict magnet schools shall not be accepted until the  
1589 commissioner develops a comprehensive state-wide interdistrict  
1590 magnet school plan, in accordance with the provisions of subdivision  
1591 (1) of subsection (b) of section 10-264*l*, unless the commissioner  
1592 determines that such construction will assist the state in meeting the  
1593 goals of the 2008 stipulation and order for Milo Sheff, et al. v. William  
1594 A. O'Neill, et al.

1595 [(2) (A) Not later than July 1, 2007, the Commissioner of Education  
1596 and the president of the Connecticut Science Center, Inc. shall enter  
1597 into a memorandum of understanding establishing the parameters  
1598 within which the center shall operate as and be given the status of a  
1599 state-wide magnet science learning center. Upon achieving such status,  
1600 the Connecticut Science Center, Inc. shall be eligible to apply for, in  
1601 accordance with the provisions of subparagraph (B) of this  
1602 subdivision, a grant of reimbursement of ninety-five per cent of any  
1603 expenditures for the construction, replacement, alteration or repair of  
1604 its facilities, including the reasonable and necessary costs for major  
1605 exhibits. The Connecticut Science Center, Inc. may fund its five per  
1606 cent share of expenditures from private contributions.

1607 (B) To be eligible to receive a grant pursuant to this subdivision, the  
1608 Connecticut Science Center, Inc. shall file an application with the  
1609 Commissioner of Education in such form and manner as the  
1610 commissioner prescribes. Construction projects at the magnet science  
1611 learning center shall meet the requirements of chapter 173, except that  
1612 the commissioner may waive any requirements in such chapter for  
1613 good cause.]

1614 Sec. 26. Section 10-283a of the general statutes is repealed and the  
1615 following is substituted in lieu thereof (*Effective July 1, 2011*):

1616 A committee to review the listing of eligible school building projects  
 1617 submitted pursuant to section 10-283, as amended by this act, shall be  
 1618 appointed annually on or before July first consisting of eight persons  
 1619 who are members of the General Assembly at the time of their  
 1620 appointment as follows: Two persons each appointed by the speaker of  
 1621 the House of Representatives, the minority leader of the House of  
 1622 Representatives, the president pro tempore of the Senate and the  
 1623 minority leader of the Senate. The listing of eligible projects by  
 1624 category shall be submitted to said committee prior to December  
 1625 fifteenth annually to determine if said listing is in compliance with the  
 1626 categories described in subsection (a) of section 10-283, as amended by  
 1627 this act, and existing standards established by the State Board of  
 1628 Education pursuant to said regulations. The listing of eligible projects  
 1629 shall include comments and recommendations from the Secretary of  
 1630 the Office of Policy and Management for each eligible project on the  
 1631 list. The committee may modify the listing. [if it finds that the  
 1632 Commissioner of Education acted in an arbitrary or unreasonable  
 1633 manner in establishing the listing.] Such modified listing shall be in  
 1634 compliance with said standards and categories. Prior to February first  
 1635 annually, the committee shall submit the approved or modified listing  
 1636 of projects to the Governor and the General Assembly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	10-217a(i)
Sec. 2	<i>July 1, 2011</i>	10-281(b)
Sec. 3	<i>July 1, 2011</i>	10-71(d)
Sec. 4	<i>July 1, 2011</i>	10-17g
Sec. 5	<i>July 1, 2011</i>	10-66j(f)
Sec. 6	<i>July 1, 2011</i>	10-76d(e)(2) and (3)
Sec. 7	<i>July 1, 2011</i>	10-76g(d)
Sec. 8	<i>July 1, 2011</i>	10-253(b)
Sec. 9	<i>July 1, 2011</i>	10-264l(c)(3)(E) and (F)
Sec. 10	<i>July 1, 2011</i>	10-264l(o)
Sec. 11	<i>July 1, 2011</i>	New section
Sec. 12	<i>July 1, 2011</i>	New section

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Sec. 13	<i>July 1, 2011</i>	10-266aa
Sec. 14	<i>July 1, 2011</i>	New section
Sec. 15	<i>July 1, 2011</i>	10-264i
Sec. 16	<i>July 1, 2011</i>	10-266m(a)
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>July 1, 2011</i>	10-262i
Sec. 19	<i>from passage</i>	New section
Sec. 20	<i>July 1, 2011</i>	New section
Sec. 21	<i>July 1, 2011</i>	10-283
Sec. 22	<i>July 1, 2011</i>	10-284(a)
Sec. 23	<i>July 1, 2011</i>	10-285a(a)
Sec. 24	<i>July 1, 2011</i>	10-286
Sec. 25	<i>July 1, 2011</i>	10-264h(a)
Sec. 26	<i>July 1, 2011</i>	10-283a

**ED**

*Joint Favorable Subst. C/R*

APP